

## **REMARKS**

This is a full and timely response to the outstanding final Office Action mailed October 6, 2005. Upon entry of the amendments in this response, claims 9 – 11, 13 – 16 and 23 remain pending. In particular, Applicant has amended claim 9, and has canceled claims 1 – 6, 8, 17 – 20 and 22 without prejudice, waiver, or disclaimer. Applicant has canceled claims 1 – 6, 8, 17 – 20 and 22 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **Rejections Under 35 U.S.C. §103**

The Office Action indicates that claims 1, 2, 3, 6, 8, 17, 18, 20 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Mazzagatte* in view of *Lupien*. The Office Action also indicates that claims 4, 5, 19 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Mazzagatte* and *Lupien* in view of *Herbert*. The Office Action further indicates that claims 9 - 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Mazzagatte* in view of *Herbert*. With respect to claims 1 – 6, 8, 17 – 20 and 22, Applicant has canceled these claims and respectfully asserts that the rejection as to these claims has been rendered moot. With respect to the remaining claims, Applicant respectfully traverses the rejections.

In this regard, Applicant has amended claim 9 to incorporate the limitations previously recited in claim 12. Notably, claim 12 was rejected under a combination of *Mazzagatte* and *Herbert*. Applicant respectfully traverses this rejection for at least the

following reasons: 1) the combination is improper; and 2) even if properly combined, the combination does not teach or reasonably suggest all of the limitations recited in Applicant's claims.

With respect to the improper combination, the Office Action contends that *Herbert* can be combined with *Mazzagatte* because:

... by using a smart card device embedded on the ink cartridge measures are taken to ensure that only authorized print cartridges are used to connect to the printing device (col. 3, lines 62 – 67). Thus, achieving the objective of *Mazzagatte*, which is to authenticate secure printing of document for the intended recipient.

(final Office Action, page 14).

Applicant respectfully asserts that the stated motivation does not make sense. First, the intention of *Herbert* is to prevent users (even authorized ones) from using non-authorized sources of printing ink in a printer. *Herbert* is not involved in any manner with preventing unauthorized access to printed documents. Second, the teachings of *Herbert* do not achieve the objective of *Mazzagatte*, because the teachings of *Herbert* could prevent any users from being able to print documents, not just an unauthorized user. In fact, combining *Herbert* with *Mazzagatte* defeats the objective of *Mazzagatte* because authorized users could be prevented from retrieving their documents. Therefore, Applicant respectfully asserts that the Office Actions have failed to provide a proper motivation to combine these references. For this reason alone, Applicant respectfully requests that the rejection of claims 9 – 11, 13 – 16 and 23 be removed and that these claims be placed in condition for allowance.

Additionally, even if properly combined, the combination of *Mazzagatte* and *Herbert* does not teach or reasonably suggest all of the limitations recited in Applicant's claims.

In this regard, claim 9 recites:

9. A print system comprising:  
***a printing device having a first print cartridge and an identification reader***, the first print cartridge containing a print substance for printing on a print medium, the first cartridge having a transmitter readable identification tag for providing first information, ***the identification reader being configured to receive the first information from the identification tag, such that, if the first information corresponds to the printing device, the identification reader enables the printing device to print;***  
a print authorization system communicating with the printing device, the print authorization system being configured to receive, via a communication network, information to be printed and second information corresponding to a user, said print authorization system being further configured to receive third information corresponding to a user ***via the identification reader*** such that, if the third information corresponds to the second information, the print authorization system enables the printing device to print the information to be printed; and  
***a user identification tag adapted to communicate with the identification reader via wireless communication***, the identification tag including a memory, the memory storing data corresponding to the third information, ***the user identification tag being adapted to provide the third information to the identification reader.***

(Emphasis added).

Applicant respectfully asserts that *Mazzagatte* and *Herbert* are legally deficient for the purpose of rendering claim 9 obvious. In particular, Applicant respectfully asserts (and the Office Action admits on page 13) that *Mazzagatte* does not teach or otherwise disclose at least the following features/limitations: a printing device having a first print cartridge and an identification reader, the first print cartridge containing a print substance for printing on a print medium, the first cartridge having a transmitter readable identification tag for providing first information, the identification reader being configured to receive the first information from the identification tag, such that, if the first information corresponds to the printing device, the identification reader enables the printing device to print. *Herbert* does not remedy these deficiencies. Specifically, *Herbert* does not teach or reasonably suggest an “identification reader” that operates in conjunction with a print cartridge and a user identification tag such that the “user identification tag [is] adapted to communicate with the

identification reader,” as recited in claim 9. Therefore, Applicant respectfully asserts that claim 9 is in condition for allowance.

Since claims 10, 11, 13 – 16 and 23 are dependent claims that incorporate all the features/limitations of claim 9, Applicant respectfully asserts that these claims also are in condition for allowance. Additionally, these claims recite other features/limitations that can serve as an independent basis for patentability.

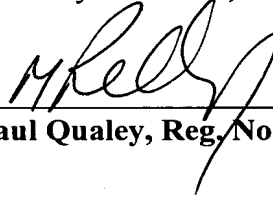
**Cited Art Made of Record**

The cited art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

### CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 11/29/05.

Stephanie Riley  
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Signature